

## Notice of Intent to Certify Sole Source

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**To:** Interested Parties

**From:** David C. Johnson

**CC:** ITS Project Number 46523

**Date:** July 13, 2021

**Re:** Sole Source Certification Number 4404 to provide National Student Clearinghouse's StudentTracker Subscription for the Mississippi Department of Education (MDE)

**Contact Name:** Alec Shedd

**Contact Phone Number:** 601-432-8162

**Contact E-mail Address:** [Alec.Shedd@its.ms.gov](mailto:Alec.Shedd@its.ms.gov)

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### Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 3941 for the Mississippi Department of Education (MDE), please be advised that ITS intends to award National Student Clearinghouse, as the sole source provider of National Student Clearinghouse's StudentTracker Subscription through August 31, 2024, in an amount not to exceed \$176,222.00. Please be advised that ITS will determine if additional subscriptions are within scope during the certification period and may increase the spending authority accordingly. Should National Student Clearinghouse change their name during this certification period, then ITS will determine if a recertification is necessary. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

### Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

**The National Student Clearinghouse's StudentTracker Subscription will allow MDE to input their student data, provide national post-secondary student-level detail reports, and aggregated reports from the 242 high schools throughout Mississippi to determine the number of students enrolled in IHLs after leaving high school. In order to provide informational reports about enrollment of students in Institutions of Higher Learning (IHLs), the data must be gathered from IHLs nationally and stored in a central database. National Student Clearinghouse is the sole provider of the national database and will provide MDE with the most accurate student-level**

**detail reports. The customer's sole source certification request is included as Attachment A.**

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

**The Every Student Succeeds Act (ESSA), passed December 2015, requires that states report on the post-secondary enrollment of students in an annual report to the public. ESSA requires that this annual report be available on a single webpage and contain information about student performance, outcomes, school quality, and other areas. Specifically, ESSA requires MDE to report, at the state, district, and school level, the number of students who enrolled in public and private institutions of higher learning. MDE does not currently have access to national post-secondary enrollment data. The customer's sole source certification request is included as Attachment A.**

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

**StudentTracker enables administrators at high school districts as well as state education agencies to access the Clearinghouse's records on over 144 million students, which represent post-secondary enrollments and achievements nationwide. National Student Clearinghouse maintains these records on behalf of the more than 3,600 colleges and universities that enroll 14.5 million students — 98% of total U.S. enrollment in higher education. These institutions have authorized the Clearinghouse to provide this information to high schools and high school districts in order to help them improve their educational programs. National Student Clearinghouse is the sole source of such a comprehensive database. The Vendor's sole source certification letter is included as Attachment B.**

#### **Schedule**

<b>Task</b>	<b>Date</b>
First Advertisement Date	07/13/21
Second Advertisement Date	07/20/21
Response Deadline From Objectors	07/27/21 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 07/28/21

#### **Project Details**

The Mississippi Department of Education is required by the Every Student Succeeds Act (ESSA) to annually report post-secondary enrollment of students to the public. MDE will utilize the National Student Clearinghouse's StudentTracker subscription to obtain the reports. ITS published Notice of Intent to Certify Sole Source Number 4126 on August 7, 2018 for National Student Clearinghouse's Student Tracker Subscription. No objections were received. ITS on behalf of MDE executed a Purchase Agreement. MDE has spent to date a total of \$118,800.00.

#### **Submission Instructions and Format of Response from Objecting Parties**

Interested parties who have reason to believe that the National Student Clearinghouse's StudentTracker Subscription should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to National Student Clearinghouse.

1.1 Interested Party Information

1.1.1 Contact Name, Phone Number and email address

1.1.2 Company Website URL, if applicable

1.2 Objection to Sole Source Certification

1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Tuesday, July 27, 2021, at 3:00 p.m. (Central Time) to Jordan Barber at [Alec.Shedd@its.ms.gov](mailto:Alec.Shedd@its.ms.gov) or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Alec Shedd to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4 Interested Party responses should include the following information:

**SUBMITTED IN RESPONSE TO  
Sole Source Certification No. 4404-46523  
Accepted until July 27, 2021 @ 3:00 p.m.,  
ATTENTION: Alec Shedd**

If you have any questions concerning the information above or if we can be of further assistance, please contact Jordan Barber at 601-432-8162 or via email at [Alec.Shedd@its.ms.gov](mailto:Alec.Shedd@its.ms.gov).

Attachment A: Customer Sole Source Certification Request

Attachment B: Vendor Correspondence

Attachment C: Sole Source Procurement Overview

## Sole Source Certification Request

<b>Project Title:</b>		National Student Clearinghouse	
<b>Contact Information</b>			
<b>Agency/Institution:</b>		MS Department of Education	<b>Contact Person:</b> Teresa Washington
<b>Mailing Address:</b>		359 North West Street Jackson, MS 39205	<b>Phone Number:</b> 601-359-3487
			<b>Email Address:</b> <a href="mailto:twashington@mdek12.org">twashington@mdek12.org</a>
<b>MAGIC Customer #:</b> (Only required from state agencies.)		700000096	<b>Division/Dept:</b> N/A
<b>Project Summary</b>			
<b>Description of Project:</b> (Include details of original acquisition if applicable)		Subscribe to the National Student Clearinghouse's StudentTracker to provide post-secondary student-level detail reports, plus aggregated reports from public high schools throughout Mississippi.	
<b>ITS Acquisition Approval (CP-1) should be effective through this date:</b>		8/31/2024	
<b>Cost Estimates</b> (Maximum allowed duration is 3 years per request/project)			
<b>Fiscal Year</b>	<b>Initial Costs</b>	<b>Ongoing Costs</b>	<b>Time Constraints</b>
FY 2022	\$62,050.00		Item Needed by: 9/1/21
FY 2023		\$57,086.00	Funds Expire: 6/30/22
FY 2024		\$57,086.00	Other Important Deadline(s): (e.g. current contract/CP-1 expiration dates)
<b>Total Estimated Project Cost:</b>		\$176,222.00	Current CP-1 and contract expires on 8/31/21
<b>Funding Source:</b> 100% State Funds		State Funds	
<b>Discuss Funding:</b> (e.g. fund number; how much of needed funding is definite; total project budget; any matching or other non-state funds)		Project will be funded from State funds.	
<b>Acquisition Details</b>			
<b>Item or Part Number</b>	<b>Quantity</b>	<b>Description</b>	<b>Building Location(s)</b>
StudentTracker Subscription	1	Software Subscription	N/A
<b>Describe Platform and Infrastructure:</b> Where does your agency plan to house or host the requested equipment or service? What resources currently available through ITS are needed (network connectivity, cloud computing/storage, colocation, business resiliency, etc.)? <i>NOTE: For equipment or services outside of current ITS available contracts and resources, justification must be attached.</i>			
MDE will send student rosters to the National Student Clearinghouse, who will match students to national post-secondary institution enrollment and provide data files and customized reports to high schools.			
<b>Sole Source Certification -</b> Certification must be renewed for each revision or continuation of previous Sole Source Approvals.			
<b>Explain why these products or services are the only ones that can meet your needs:</b> (Include specific functionality or special features that make this product or service unique.)		The National Student Clearinghouse's StudentTracker Subscription will allow MDE to input their student data, provide national post-secondary student-level detail reports, and aggregated reports from the 242 high schools throughout Mississippi to determine the number of students enrolled in IHLs after leaving high school. In order to provide informational reports about enrollment of students in Institutions of Higher Learning (IHLs), the data must be gathered from IHLs nationally and stored in a central database. National Student Clearinghouse is the sole provider of the national database and will provide MDE with the most accurate student-level detail reports.	
<b>Specific business requirements to be met by the products/services:</b> (e.g. intended use, how it helps accomplish a task, etc.)		The Every Student Succeeds Act (ESSA), passed December 2015, requires that states report on the post-secondary enrollment of students in an annual report to the public. ESSA requires that this annual report be available on a single webpage and contain information about student performance, outcomes, school quality, and other areas. Specifically, ESSA requires MDE to report, at the state, district, and school level, the number of students who enrolled in public and private institutions of higher learning. MDE does not currently have access to national post-secondary enrollment data.	
<b>Explain why this is the only entity that can provide the products/services:</b> (Include other products/vendors researched or evaluated.)		StudentTracker enables administrators at high school districts as well as state education agencies to access the Clearinghouse's records on over 144 million students, which represent post-secondary enrollments and achievements nationwide. National Student Clearinghouse maintains these records on behalf of the more than 3,600 colleges and universities that enroll 14.5 million students — 98% of total U.S. enrollment in higher education. These institutions have authorized the Clearinghouse to provide this information to high schools and high school districts in order to	

		help them improve their educational programs. National Student Clearinghouse is the sole source of such a comprehensive database	
If for services or installations (not a product) the following two questions must be addressed.			
Vendor's proposal submitted:		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (select only one)	Vendor's Certification of Sole Source attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
MAGIC Vendor Code(s) - Vendor must be in MAGIC before a CP-1 can be issued.			
Place Order To Vendor Code:	Vendor Name:	National Student Clearinghouse	Remit To Vendor Code:
	Vendor Address:	2300 Dulles Station Boulevard, Suite 300 Herndon Virginia 20171	Vendor Name:
			Vendor Address:
			National Student Clearinghouse 2300 Dulles Station Boulevard, Suite 300 Herndon Virginia 20171

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13.

John Kraman, CIO  
Name and Title (Agency Head/Institution President/CIO)

[Signature]  
Signature

7/13/21  
Date

## NATIONAL STUDENT CLEARINGHOUSE™

2300 Dulles Station Boulevard, Suite 300, Herndon, Virginia 20171 ~ 703-742-4700 ~ [www.studentclearinghouse.org](http://www.studentclearinghouse.org)

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April 22, 2021

Mississippi Department of Education

Thank you for your interest in StudentTracker for State Agencies.

In order to measure the post-secondary achievements of your students, it requires access to a database with comprehensive post-secondary school enrollment. StudentTracker enables administrators at high school districts as well as state education agencies to access the Clearinghouse's records on over 144 million students, which represent post-secondary enrollments and achievements nationwide. We maintain these records on behalf of the more than 3,600 colleges and universities that enroll 14.5 million students — 98% of total U.S. enrollment in higher education. These institutions have authorized the Clearinghouse to provide this information to high schools and high school districts in order to help them improve their educational programs. We are the sole source of such a comprehensive database.

Please do not hesitate to contact me if you have any additional questions.

Sincerely,



Mary Chapin  
CLO, Vice President

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*A non-profit organization serving the education community by facilitating the exchange and understanding of student enrollment, performance and related information.*

## Attachment C

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website ([www.its.ms.gov](http://www.its.ms.gov)).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1. The product or services being purchased must perform a function for which no other product or source of services exists,
2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1. An explanation about why the amount to be expended is reasonable, and
2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification

above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.